

TREATY SERIES, No. 516

# CONVENTION

BETWEEN

THE UNITED STATES AND ITALY

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# ARBITRATION

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SIGNED AT WASHINGTON, MARCH 28, 1908

RATIFICATION ADVISED BY THE SENATE, APRIL 2, 1908

RATIFIED BY THE PRESIDENT, JUNE 19, 1908

RATIFIED BY ITALY, JUNE 19, 1908

RATIFICATIONS EXCHANGED AT WASHINGTON, JANUARY 22, 1909

PROCLAIMED, JANUARY 25, 1909



WASHINGTON

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

## A PROCLAMATION.

Whereas a Convention between the United States of America and the Kingdom of Italy, providing for the submission to arbitration of all questions of a legal nature, or relating to the interpretation of treaties, which may arise between the two countries and which it may not have been possible to settle by diplomacy, was concluded and signed by their respective Plenipotentiaries at Washington, on the twentieth-eighth day of March, one thousand nine hundred and eight, the original of which Convention, being in the English and Italian languages, is word for word as follows:

The Government of the United States of America and the Government of His Majesty the King of Italy, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment,

Have authorized the Undersigned to conclude the following Convention:

### ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they

Gli Stati Uniti d'America e Sua Maestà il Re d'Italia, firmatarii delle Convenzione pel componimento pacifico delle controversie internazionali, conclusa all'Aja il 29 Luglio 1899:

considerando che in virtù dell'articolo XIX della Convenzione medesima le Alte Parti Contraenti si sono riservate il diritto di stipulare accordi allo scopo di sottoporre ad arbitrato tutte le questioni ch'esse ritengano di poter sottomettere a siffatto trattamento,

hanno autorizzato i sottoscritti a concludere la seguente Convenzione:

### ARTICOLO I.

Le eventuali controversie di natura giuridica o che si riferiscano alla interpretazione dei Trattati esistenti fra le due Parti Contraenti e che non possano essere sistemate in via diplomatica, saranno deferite alla Corte Permanente di Arbitrato stabilita all'Aja con la Convenzione del 29 Luglio 1899, purchè esse controversie non implicino gli interessi vitali,



do not affect the vital interests, the independence, or the honor of either of the two Contracting States, and do not concern the interests of third Parties.

## ARTICLE II.

In each individual case the High Contracting Parties before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that on the part of the United States such special agreements will be made by the President of the United States, by and with the advice and consent of the Senate thereof.

## ARTICLE III.

The present Convention is concluded for a period of five years, dating from the day of the exchange of its ratifications.

## ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the Government of His Majesty the King of Italy in accordance with its constitution and laws. The ratifications shall be exchanged at Washington as soon as possible, and the Convention shall take effect on the date of the exchange of its ratifications.

Done in duplicate at the City of Washington in the English and Italian languages, this twenty-eighth day of March, in the year 1908.

ELIHU ROOT [SEAL]  
MAYOR [SEAL]

l'indipendenza o l'onore dei due Stati contraenti e non tocchino gli interessi di terze Potenze.

## ARTICOLO II.

In ogni singolo caso le Alte Parti Contraenti prima di ricorrere alla Corte Permanente di Arbitrato stipuleranno uno speciale Compromesso che determini nettamente l'oggetto del litigio, l'estensione dei poteri degli arbitri e le dilazioni da osservarsi in quanto concerne la costituzione del Tribunale Arbitrale e la procedura. È convenuto che da parte degli Stati Uniti i compromessi speciali saranno fatti dal Presidente degli Stati Uniti con l'avviso e con il consenso del Senato.

## ARTICOLO III.

La presente Convenzione è conclusa per un periodo di cinque anni a decorrere dalla data dello scambio delle ratifiche.

## ARTICOLO IV.

La presente Convenzione sarà ratificata dal Presidente degli Stati Uniti di America con l'avviso ed il consenso del Senato e dal Governo di Sua Maestà il Re d'Italia in conformità alla sua costituzione ed alle sue leggi. Le ratifiche dovranno essere scambiate in Washington quanto più presto possibile e la Convenzione andrà in vigore dalla data dallo scambio delle ratifiche.

Fatto in doppio nella città di Washington, rispettivamente nelle lingue Inglese ed Italiana addì ventotto marzo dell'anno millenovecento ed otto.

And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington on the twenty-second day of January, one thousand nine hundred and nine;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-fifth day of January in the year of our Lord one thousand nine hundred and nine, and of the Independence of the United States of America the one hundred and thirty-third.

[SEAL]

THEODORE ROOSEVELT

By the President:

ELIHU ROOT

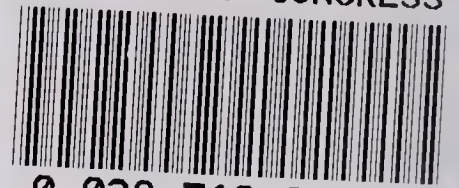
*Secretary of State.*

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